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Report of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani

Mission to Sri Lanka*,**

Summary

The Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, conducted an official mission to the Democratic Socialist Republic of Sri Lanka (hereafter Sri Lanka) from 2 to 6 December 2013, at the invitation of the Government and pursuant to his mandate contained in resolution 23/8 of the Human Rights Council. The objective of the mission was to engage in a dialogue with the Government with a view to promoting durable solutions for the significant number of internally displaced persons (IDPs) who have been in need of such solutions since the end of the conflict in Sri Lanka in 2009. Accordingly, the Special Rapporteur's assessment identifies key modalities and conditions necessary to enable the implementation of durable solutions for IDPs in Sri Lanka in the context of development and reconstruction.

Although there have been impressive advances in rebuilding infrastructure destroyed during the conflict, there needs to be a linkage between rebuilding such infrastructure and the livelihoods of the significant number of IDPs. They are still living in protracted displacement, and many others have returned to, or have been relocated within, the Northern and Eastern Provinces and are still living in very precarious conditions. Concerted efforts are required to ensure that post-conflict reconstruction addresses durable solutions on a comprehensive basis for all IDPs, as well as those who have been relocated and those who have returned to their areas of origin.

* Late submission.

** The summary of the present report is circulated in all the official languages. The report itself, contained in the annex to the summary, is circulated in the language of submission only.

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Annex

[English only]

Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Sri Lanka

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I. Introduction

A. Purpose and description of the Special Rapporteur's visit

1. In accordance with the mandate bestowed on him by Human Rights Council resolution 23/8, and at the invitation of the Government of Sri Lanka, the Special Rapporteur on the human rights of internally displaced persons (hereafter the Special Rapporteur), Chaloka Beyani, conducted an official mission to Sri Lanka from 2 to 6 December 2013. Since the end of the conflict in May 2009, the Government of Sri Lanka has undertaken measures aimed at finding solutions for IDPs. The main objective of the mission was to engage in dialogue with the Government with a view to examining the measures taken in order to promote durable solutions for significant numbers of IDPs, out of the several hundreds of thousand persons displaced at the end of the armed conflict in Sri Lanka. From the assessment of the Special Rapporteur, the IDPs are in need of effective durable solutions. Accordingly, his assessment identifies key modalities and conditions necessary to enable the implementation of durable solutions for IDPs in Sri Lanka in the context of development and reconstruction.

2. In Colombo, the Special Rapporteur met with various government interlocutors, including the Secretary to the Ministry of Defence and Urban Development, the Minister of External Affairs, the Minister of Economic Development and Chairman of the Presidential Task Force for Resettlement, Development and Security in the Northern Province, the Minister of Plantation Industries and Special Envoy of the President on Human Rights, the Minister of Resettlement and the Minister of Justice. He also met with representatives of international organizations, non-governmental organizations, civil society, donors and other Governments. He travelled to Jaffna, Mullaitivu and Kilinochchi districts, where he met with IDPs, returnees and relocated persons, government representatives, senior regional military commanders and representatives of local and international non-governmental organizations and United Nations agencies. While he focused on those displaced by armed conflict and acts of violence, the Special Rapporteur also wishes to recall the plight of those displaced by the devastating tsunami of December 2004 and subsequent natural disasters, as mentioned in the 2007 mission report of the then Representative of the Secretary-General on internally displaced persons (A/HRC/8/6/Add.4, para. 16 (f)).

3. The Special Rapporteur appreciates the cooperation of the Government of Sri Lanka, notably in inviting him and facilitating his meetings and field visits to the north, and the open conversations he had with interlocutors in Colombo and in the north of the country. He is very grateful for the outstanding support provided by the United Nations country team, in particular the Resident and Humanitarian Coordinator and his team, and the Office of the United Nations High Commissioner for Refugees (UNHCR) in Colombo and its field offices. He benefitted from the substantive and insightful information provided to him by civil society organizations and appreciates the communications he received prior to and during his visit. Above all, he wishes to thank the many IDPs, returnees and relocated persons who patiently shared their experiences with him under very difficult circumstances, even when they could not hold individual conversations with him in the presence of security and other officials. The Special Rapporteur recalls that, in line with the Terms of Reference for Fact-Finding Missions by Special Rapporteurs/Representatives of the Commission on Human Rights (E/CN.4/1998/45, Appendix V), it is important that persons, whether officials or private individuals, who contacted him in relation to his official visit pursuant to his mandate, are not as a result intimidated, threatened or prosecuted.

4. The Special Rapporteur shared his preliminary findings with the Government at the conclusion of his visit and was encouraged by the willingness of government officials to continue to cooperate with his mandate in acknowledging that more concerted action was

needed to support durable solutions for IDPs, returnees and relocated persons. He commends the willingness and commitment of the Government of Sri Lanka to continue to dialogue with him on the issue of durable solutions in the aftermath of his visit and views the response of the Government of Sri Lanka to the present report (A/HRC/26/33/Add.6) in that context. The Special Rapporteur, while cognisant of the human rights situation in Sri Lanka and of the developments in that regard at the Human Rights Council, focused exclusively in the present report on assessing the situation of internally displaced persons.

B. Previous missions by the mandate to Sri Lanka

5. The former Representative of the Secretary-General on internally displaced persons, Francis Deng, undertook an official mission to Sri Lanka from 10 to 17 November 1993. His successor, Walter Kälin, undertook an official mission to Sri Lanka from 14 to 21 December 2007, during which he focused on the situation of the estimated 577,000 IDPs at the time, as well as the key obstacles and conditions necessary to enable them to find durable solutions. He then conducted two follow-up working visits at the invitation of the Government from 2 to 6 April and from 24 to 26 September 2009. The first follow-up visit focused on the actions necessary to protect further the lives of the civilians still under the control of the Liberation Tigers of Tamil Eelam (LTTE), critical steps for the protection of IDPs who at the time were under the Government's care, and concrete measures to facilitate the prompt and sustainable return of the displaced. The second visit raised critical issues on the protection by the Government of IDPs in camps, including the issue of freedom of movement and release of IDPs, and provided recommendations to promote durable solutions.

6. The Representative of the Secretary-General also chaired a national consultation on durable solutions for IDPs, organized by the Sri Lankan Ministry of Disaster Management and Human Rights and supported by UNHCR, from 23 to 25 September 2008. At the end of the consultation, a series of recommendations were issued on improving baseline data, security and confidence-building measures and achieving durable solutions, but were not acted upon.

II. Dynamics of internal displacement and identifying those in need

7. Sri Lanka was affected by several cycles of displacement during the conflict, which lasted until 2009. As highlighted in the 2007 mission report of the Representative of the Secretary-General, international attention focused largely on two phenomena: the 2004 tsunami which killed an estimated 40,000 persons and displaced more than half a million, and the re-escalation of the armed conflict since 2006 (A/HRC/8/6/Add.4, para. 14). In reality, hundreds of thousands of people, most of them belonging to the Tamil and Muslim ethnic minorities, but also some from the Sinhalese majority, were internally displaced at various stages of the conflict, many of them multiple times. Many IDPs were also affected by the tsunami and following that, were displaced once again owing to the war.

A. Identifying those in need of protection and durable solutions

8. Following the end of the armed conflict in May 2009, the Government stated that, together with its national and international partners, it supported the return or relocation of some 760,000 internally displaced persons, as part of its post-conflict reconstruction

efforts.[1] In practice, tens of thousands of IDPs, as well as relocated IDPs and returnees, are in need of protection and assistance to reach durable solutions. International understanding on reaching durable solutions in enshrined in principle 28 of the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2, Annex), which reads, "Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons". The Guiding Principles on Internal Displacement were recognized by Heads of State and Government during the 2005 World Summit (A/RES/60/1, para. 132). Therefore, the present report uses the term "durable solutions" on that basis, and uses the term "relocation" when referring to IDPs in relocation villages. That distinction is important, as the Government of Sri Lanka uses the term "resettlement" for return and settlement elsewhere in the country. Relocation does not necessarily mean or imply a durable solution.

1. IDPs

9. The current number of IDPs in Sri Lanka is itself an issue to be addressed in the context of finding durable solutions on a comprehensive basis. Durable solutions cannot be implemented effectively without concise knowledge of the size and profile of the IDP population. There are discrepancies in the figures on IDPs used by the Government, local authorities, regional military command structures in the Northern and Eastern Provinces and international organizations. For example, the Ministry of External Affairs informed the Special Rapporteur that 22,000 IDPs were currently still displaced. According to UNHCR statistics obtained from local government officials, some 93,447 people were still internally displaced at the end of 2012, the most recent year in which such statistics were collected.[2] That includes IDPs living in camps called "welfare centres" or with host communities, and who have not been able to return, primarily owing to the occupation of their land or the presence of landmines on their land; they are mostly ethnic Tamil populations. According to civil society representatives, there are 34 welfare centres in Jaffna alone. The Special Rapporteur visited a welfare centre in Jaffna, and affirms that he saw for himself that there are persons there who have been displaced for 24 years and are living without electricity or adequate water or sanitation. Some of the lands on which welfare centres are built have recently been reclaimed by their original owners, themselves refugees abroad. He welcomes the initiative taken by the Government since his visit to address seriously the discrepancy in figures, and notes that the Government has discussed that as an important issue with UNHCR and other international organizations both in Colombo and Geneva, and with the participation of representatives of the Ministry of Resettlement and the Presidential Task Force for Resettlement, Development and Security in the Northern Province. As a result, hitherto unreported IDP families in the Northern and Eastern Provinces have been identified.

10. In addition to displacement in the 2000s, tens of thousands of IDPs fled their homes in the 1980s and 1990s. In 1990, the LTTE expelled the entire Muslim population, some 75,000 people, from Jaffna, Kilinochchi, Mullaitivu, Mannar and Vavuniya Districts, as well as reportedly some 35,000 Sinhalese from the Northern Province. The majority of them found refuge in Puttalam District, on the western coast of Sri Lanka. While the vast majority have, without being consulted, been registered by the authorities as having returned, in practice few of them are living permanently in their areas of origin. That is

[1] The Ministry of Resettlement has indicated that, as of January 2014, some 759,995 people had been "resettled", meaning they had returned or had been relocated.

[2] UNHCR Sri Lanka Fact Sheet. Available from www.unhcr.org/50001fa39.pdf.

owing to a combination of complex factors, including socioeconomic issues linked to the protracted nature of their displacement for almost 30 years, the growth in the size of displaced families during that time, the lack of access to land and the need for new land. The Special Rapporteur has been informed that the Government is taking measures to release nearly 3,200 acres of lands to such families to facilitate their return to their original places. That is crucial as many of those who are seeking to integrate locally are reported to lack durable housing and livelihoods. While some of them lost their documentation or their land is reportedly occupied, the Government explains that when the resettlement process commenced, only the Muslim IDP families who volunteered to return were registered as having returned, not all returnees. That explains the discrepancy in the figures, which is being addressed, but more support is needed to ensure that Muslim IDPs can either find a durable solution in line with their wishes through return to the north, or integrate locally in Puttalam District without suffering discrimination.

2. Returnees and relocated IDPs with needs linked to their displacement

11. Some 760,000 IDPs have registered as having "returned" to their areas of origin in the north and the east since April 2009. Tens of thousands of them, including people who were displaced in the last phases of the armed conflict and others who were displaced in previous decades, are reported not to have found durable solutions. During his visit, the Special Rapporteur met with returnees who lived on their land of origin, but were dwelling in makeshift shelters without access to their agricultural land, adequate water and sanitation or other basic services. He found the situation of single women headed households, such as widows, particularly dire, as explained in section IV C (4) below.

12. Also included among those registered as having "returned" are the thousands of individuals whose land remains closed for return, but whom the Government relocated in new villages in Jaffna, Kilinochchi, Mannar, Trincomalee and Mullaitivu Districts. The Government makes the point that the government agent in Mullaitivu visited the transitional welfare villages at Menik Farm and conducted discussions with regard to the provision of alternative lands for those families. After detailed interviews, the Special Rapporteur found that there had been little or no consultation of IDPs during the relocation process, and that those villages may not offer adequate access to livelihood opportunities. The Special Rapporteur visited the model village of Sooripuram in Keppapilavu, Mullaitivu District, where IDPs from Menik Farm were relocated onto public land by the State. Original lands belonging to some IDPs, at least some 185 IDP families by government account, have been occupied by the military and it is unclear whether those families will be able to return home or receive compensation for their land. The Government, through the Ministry of Defence, has taken steps to release land for cultivation, including 250 acres of land suitable for agriculture, to be distributed among relocated families at a quarter of an acre per family. However, those measures should be sustainable, support livelihoods, and meet the conditions stipulated in principle 28 of the Guiding Principles on Internal Displacement in order to constitute durable solutions. During his visit, the Special Rapporteur found that the village built by the military has permanent houses of standard size, regardless of each family's size, which begs a needs assessment exercise. It has unpaved roads, electricity, a primary school, a few water wells and a temple, but does not have a stationed health clinic or livelihood opportunities.

B. Demographic issues

13. During his mission, the Special Rapporteur heard from several international and national civil society representatives that ethnic Sinhalese people originating from the south of the country were being supported officially to settle in the north. While some Sinhalese people were indeed displaced over the 26 years of conflict (22,000 Sinhalese were displaced in the 1980s and 1990s, according to the Secretary of Defence), it is not clear

whether the recently settled families originate from the north, or whether other families are encouraged to settle there as well. Some of the land where the families are being settled is also claimed by ethnic Tamil IDPs displaced within the north. Clearly, all the citizens of Sri Lanka, without discrimination, have the right to freedom of movement and choice of place of residence within Sri Lanka. Owing to the centrality of land and competing claims over it in the context of dealing with displacement and attaining durable solutions in the post-conflict phase, the Special Rapporteur recommends prioritizing the resolution of land and property issues on a comprehensive basis in order to achieve durable solutions for IDPs in the framework of freedom of movement and choice of place of residence.

C. New displacement related to development projects

14. Over the past years, the Urban Development Authority, under the auspices of the Ministry of Defence, has undertaken several projects in the city of Colombo with a view to developing it as the country's commercial capital, in line with the Government policy directives on urban development. The Government has implemented a programme to construct high-rise apartments targeting 65,000 housing units to be constructed to provide decent houses to low-income families living in underserved settlements scattered in the city of Colombo, covering an area of nearly 900 acres. It is one of the strategic programmes under way to achieve the expected urban development in the city of Colombo, among many other current rejuvenation projects. The Special Rapporteur welcomes the undertaking by the Government that, under the programme, no families will be displaced and all families will be provided with permanent houses, while releasing a large acreage of underutilized land for productive purposes in accordance with the Colombo Development Master Plan. The undertaking is significant because the Special Rapporteur received information that hundreds of families have been evicted from their homes in Colombo to make way for development projects and that durable solutions were not provided to the persons displaced in that process, a number of whom have appealed to the Supreme Court. The Special Rapporteur was given to understand that some of the people evicted obtained alternative rental accommodation for some years, but they were not provided with permanent housing, despite Court orders to that effect. He learned from civil society organizations that recently, 550 families had been displaced from their land which was sold to a private company to build apartments. The Special Rapporteur also learned during his visit that the land around Jaffna airport would be expropriated to expand the airport. He urges the Government to conduct a transparent process and provide alternative areas of residence and fair compensation to those set to be relocated. The National Involuntary Resettlement Policy, which aims to ensure that persons affected by development projects are treated in a fair and equitable manner and are not impoverished in the process, should be applied in that case, with due regard for relevant international standards.

III. Relevant frameworks for protection and assistance to internally displaced persons

A. Domestic legal, policy and institutional frameworks

1. The Lessons Learnt and Reconciliation Commission

15. In 2010, Sri Lanka established the Lessons Learnt and Reconciliation Commission (LLRC), after President Mahinda Rajapaksa made a joint commitment to an accountability process in Sri Lanka alongside United Nations Secretary-General Ban Ki-moon. The LLRC was tasked to investigate the events leading to the breakdown of the 2002 ceasefire agreement, recommend measures to prevent the recurrence of such events and promote

national unity and reconciliation to address the past. The final report of the LLRC, published in 2011, contained chapters on IDPs, notably chapter 5, which focused on human rights with a specific section dedicated to IDPs, and chapter 6 entitled "Land issues: return and resettlement".

16. The LLRC recognized the importance of finding durable solutions for IDPs in the medium and long term, "without which a sustainable and all inclusive reconciliation process cannot be achieved".[3] While encouraging the Government to respect IDPs' freedom of movement to "re-settle in their places of origin, in accordance with internationally accepted principles governing voluntary return"[4] and to raise awareness amongst IDPs with regard to the options available to them, it also stressed the necessity to address the "continuing needs of people who have been resettled and are in the process of making efforts to rebuild their lives".[5]

17. The Special Rapporteur supports the conclusion of the LLRC on the need to find durable solutions for all IDPs and welcomes the recommendation on "the creation of a uniform State policy aimed at resettlement of these IDPs and/or integrating them into host community",[6] reiterating the need to raise awareness among IDPs about the options available to them and to respect their final decision. He calls for the urgent implementation of that recommendation.

2. National Action Plan for the Protection and Promotion of Human Rights

18. After three years of internal consultations and international encouragement following the first cycle of the Universal Periodic Review, in 2011, the Government of Sri Lanka adopted a five-year National Action Plan for the Protection and Promotion of Human Rights. A whole section of the Plan is dedicated to the rights of IDPs and includes the goal of developing a "broad national policy on displacement which takes into account all forms of displacement (conflict, natural disasters, economic development, etc.) drawing from the Guiding Principles on Internal Displacement Framework with specific attention to vulnerable groups;"[7] the protection of IDPs' right to vote; access to legal documentation and justice; the promotion of safe return, notably through landmine clearance; the promotion and protection of IDPs' rights to land and housing; access to clean water and sanitation in a gender-sensitive manner and with due consideration of vulnerability, including disability; the enhancement of psychosocial support for displaced persons and communities, including host families; the promotion of adequate livelihood options for IDPs, including through training and education; protection for especially vulnerable groups such as the elderly and the disabled; and the prevention of displacement due to natural disasters.[8]

3. Draft Framework for Resettlement Policy

19. In 2013, the Government developed a Framework for Resettlement Policy addressing conflict-induced displacement. The draft policy has important objectives, including the improvement of livelihoods and the restoration of land ownership and other lost documents. It mentions consultation with IDPs in project planning and implementation,

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[3] Report of the Commission of inquiry on Lesson Learnt and Reconciliation, November 2011, para. 9.83.

[4] Ibid., para. 9.106.

[5] Ibid., para. 9.101.

[6] Ibid., para. 9.111.

[7] Sri Lanka National Action Plan for the Protection and Promotion of Human Rights 2011-2016, p. 122.

[8] Ibid., pp. 122-130.

and includes national and international non-governmental organizations (NGOs) as partners. The Special Rapporteur, while recognizing the importance of the draft policy, notes that it falls significantly short of both the goals of the National Action Plan and of the comprehensive 2008 draft IDP bill. It focuses on the initial phases of conflict-induced displacement, does not encompass displacement caused by natural disasters and development projects, and is not consistent with international terminology on the three durable solutions (see below). At the time of the Special Rapporteur's visit, he was concerned that no time frame for the revision and adoption of the draft policy had been provided. He has since been assured that the Ministry of Resettlement is in the process of organizing broader consultations to finalize the draft framework. During that process, he calls for the draft policy to be based on the recommendations of the LLRC, the National Action Plan, the Guiding Principles on Internal Displacement and the Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons (2010).

4. National structures

20. At the end of the armed conflict in May 2009, a Presidential Task Force for Resettlement, Development and Security in the Northern Province was set up under the chairmanship of the Minister of Economic Development. The Task Force led a 180 day programme consisting of demining operations, reconstruction of basic infrastructure, humanitarian assistance and livelihood and early recovery.[9] The Government worked with partners to rebuild roads, bridges, schools, hospitals and health centres, local government buildings, markets and houses. The military played a central role in reconstruction and the demining of return areas, with international assistance.[10] The Government is also leading major projects to ensure the production of electricity in the north and east, as well as water and sanitation projects. The restoring of infrastructure in the north and east, the rebuilding or repairing of houses, as well as the release of some land to their original owners, have allowed many IDPs to return and go back to their traditional livelihoods of farming and fishing.

21. Several ministries have responsibilities for displacement-related issues, in particular the Ministry of Disaster Management and Human Rights, and the Ministry of Resettlement and Disaster Relief Services. The Ministry of External Affairs and the Ministry of Defence also participated in formulating policies and responses to displacement. A National Steering Committee chaired by the Minister for Resettlement was tasked to manage IDP camps. At the local level, the governors and local officials named "Government Agents" are responsible for supporting durable solutions for IDPs, together with the Chief Ministers for the north and east and the Chief Minister responsible for Puttalam IDPs. In order to be officially recognized as an IDP, one has to be registered as such by the Government. Registration entitles IDPs to a card granting them access to assistance. Since the end of the conflict, deregistration has been undertaken primarily by local authorities, based on the decision that areas of origin had been opened to return and not on whether IDPs had achieved durable solutions. Civil society representatives expressed their concerns at the Government's decision to replace some people's IDP cards with resident cards despite the fact that the people concerned were still displaced.

22. The Special Rapporteur learnt during his mission that the closing of IDP camps had led to the deregistration of IDPs, which paved the way to their subsequent registration as

[9] *From Conflict to Stability – Northern Province, Sri Lanka* Report of the Presidential Task Force for Resettlement, Development and Security – Northern Province 2009–2012. Available from www.scribid.com/doc/126851924/FROM-CONLFICT-TO-STABILITY-IN-SRI-LANKA.

[10] Ibid., p. iv.

returnees, based on a factual assessment and as soon as IDPs reported for resettlement. The Special Rapporteur cautions that such deregistration is not in accordance with international practice. Deregistration by itself does not resolve the reality of the situation of IDPs. It is critical to carry out a survey of intent on the part of IDPs, in conjunction with profiling and needs assessment in order for durable solutions to be sustainable when IDPs no longer have specific displacement-related protection needs. The Special Rapporteur maintains that tens of thousands of those who returned or were relocated need support to reach durable solutions, particularly in terms of restoring their livelihood in safety and dignity, as many of them lack access to their original land or to fisheries. Special attention has to be paid to those whose livelihood is dependent on fishing in order to ensure that they have access to their traditional means of livelihood.

B. International frameworks to address durable solutions

23. The Guiding Principles on Internal Displacement recognize that IDPs have the right to choose among three settlement options which, if sustainable, will lead to a durable solution: (i) return to their place of origin; (ii) integration in the area of displacement; or (iii) settlement in another part of the country. The Inter-Agency Standing Committee (IASC) Framework on Durable Solutions for Internally Displaced Persons indicates that a "durable solution is achieved when internally displaced persons no longer have any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement" (A/HRC/13/21/Add.4, p. 2). That implies that physical relocation or return do not in themselves constitute durable solutions. The IASC Framework identifies the human rights-based principles that should inform the pursuit of durable solutions and sets out criteria to identify the extent to which a durable solution has been attained. The criteria are useful for monitoring progress towards durable solutions in Sri Lanka.

24. The identification of durable solutions should take place against the backdrop of the overarching principles defined by international law to govern durable solutions, namely that the State has the primary responsibility to provide durable solutions, that the interests of IDPs are central in the process, that the choice of IDPs should be informed, participatory and voluntary, and that IDPs and host communities should be treated in a non-discriminatory fashion. While the Government has made impressive strides in reconstructing the Northern and Eastern Provinces, more needs to be done to support people to rebuild their lives and to ensure that they can make free and informed choices. Solutions should be developed together with IDPs and should enable them to find a path towards self-reliance.

IV. Durable solutions

25. The Special Rapporteur notes with great appreciation the Government's commitment at the highest level "to do whatever it can to solve the problem of IDPs", as stated by the Secretary to the Ministry of Defence and Urban Development during the Special Rapporteur's visit to the country.

26. The majority of IDPs, returnees and relocated IDPs are currently in the districts of Jaffna, Kilinochchi, Mullaitivu, Vavuniya, Mannar, Trincomalee, Batticaloa, Ampara, Puttalam and Anuradhapura. It is important to identify durable solutions for the significant number of IDPs who live in protracted displacement situations, apart from, or in addition to, the tens of thousands who have returned or have been relocated in the Northern and Eastern Provinces and who live in very precarious conditions.

27. According to a 2013 survey by the World Food Programme, nearly seven out of 10 households in Vavuniya and Mullaitivu Districts were food insecure. The survey also reported a rising level of debt to cope with the lack of livelihood opportunities.[11] The survey may not reflect the United Nations position on the matter, but it is indicative, in the context of the independence of the mandate. Many returnees' houses still need to be rehabilitated. Of the more than 140,000 houses destroyed or damaged in the north during the conflict, at least 44,000 have been repaired and rebuilt, which leaves some 61,000 families, or 200,000 people, in temporary or damaged housing, or with host families.[12] In Mullaitivu, for example, local authorities mentioned to the Special Rapporteur that 21,766 houses still needed to be repaired or rebuilt.

A. International response, development actors and processes

28. Pursuant to the Government's request, UNHCR has been the lead international agency for IDPs in Sri Lanka. In the aftermath of the conflict, UNHCR initially focused on providing protection and humanitarian assistance to IDPs; it has since shifted its action to support durable solutions. A range of local and international NGOs and United Nations agencies have provided emergency assistance, but also cash grants, transitional and permanent housing to IDPs in the aftermath of conflict. As explained by the Government, all projects in the Northern Province, as is the case in all the other provinces, require the approval of the Department of External Resources and the relevant ministry or ministries. The Presidential Task Force for Resettlement, Development and Security in the Northern Province (PTF) coordinates support for such projects through the government machinery. However, the Special Rapporteur learned that all humanitarian projects in the north required the approval of the PTF and that the PTF has rarely approved protection projects such as psychosocial support, legal assistance, family tracing and reunification.

29. Sri Lanka no longer attracts significant humanitarian resources, compared to the immediate aftermath of the conflict. In 2012, the last United Nations humanitarian plan for the north was only 27 per cent funded.[13] Several humanitarian agencies recently closed their operations in Sri Lanka, and those dealing with humanitarian and development programmes have started to shift their focus to development aspects. Constructing a development based strategy for durable solutions for IDPs is therefore now essential.

30. While Sri Lanka has made significant progress towards achieving the Millennium Development Goals by 2015, the persisting regional disparities, which are most visible in the Northern and Eastern Provinces, need to be addressed, notably in terms of access to health services, education facilities and employment opportunities.[14]

31. Achieving durable solutions is a gradual process which may require sustained action over many years by national authorities to respond to the humanitarian, development and peacebuilding needs of IDPs, in partnership with civil society and international actors. The United Nations Development Assistance Framework (UNDAF) for 2013–2017 shifts the

[11] Integrated Regional Information Network, "Food insecurity, debt rise in Sri Lanka's north", 23 September 2013. Available from www.irinnews.org/report/98807/food-insecurity-debt-rise-in-sri-lanka-s-north.

[12] Internal Displacement Monitoring Centre, "Almost five years of peace but tens of thousands of war-displaced still without solution", 4 February 2014. Available from www.internal-displacement.org/south-and-south-east-asia/sri-lanka/2014/almost-five-years-of-peace-but-tens-of-thousands-of-war-displaced-still-without-solution/.

[13] Sri Lanka Joint Plan of Assistance to the Northern Province (JPA) 2012.

[14] United Nations Development Programme. *Sri Lanka Human Development Report 2012: Bridging Regional Disparities for Human Development*, pp. 119–124.

overall United Nations response from humanitarian to development aspects. The plan mentions the response to the needs of conflict-affected people, but it does not address the issue of durable solutions for IDPs per se. The Special Rapporteur encourages the involvement of development actors to support livelihood and reconciliation projects in the north and the east, including for IDPs, returnees and relocated persons. Fostering durable solutions requires the rights, needs and legitimate interests of IDPs to be taken into account through their direct involvement at all stages of the process. The Special Rapporteur appreciates the fact that the Joint Needs Assessment, to be conducted by the Government of Sri Lanka and the United Nations humanitarian country team, will also address the issue of durable solutions for IDPs.

32. Working towards durable solutions entails effective coordination to ensure complementarity of action between all relevant partners and stakeholders, including IDPs. The relationship between the PTF and provincial and district authorities in relation to IDPs should be clarified, and other relevant ministries, including the Ministry for Resettlement, should be involved. The coordination mechanism should be linked to relevant international actors and platforms and should reach out to investment partners. Relevant entities, such as the Ministry for Resettlement and provincial and district authorities, should include budget provisions for IDPs and undertake capacity-building on internal displacement for relevant government employees. The Government should allow donors to partner directly with relevant local authorities to support solutions for IDPs. The response to the needs of IDPs should also use a protection lens, including in regard to single female heads of households, and be linked to the support of governance and the rule of law, as it is essential to ensure that IDPs get peace dividends. Also, the resilience of displaced and relocated communities, who are not in their areas of origin, should be supported as they are particularly vulnerable to recurrent shocks.

33. In addition, it is important to set up a monitoring system by local government (district) representatives in partnership with civil society organizations to check how people are faring during displacement, but also after return or relocation, and to make those data available to national and international partners. Monitoring should include a gender analysis and a credible complaint mechanism for IDPs, returnees and relocated persons, so that any concern is brought to the immediate attention of relevant authorities.

B. The importance of harmonized data

34. The lack of precise knowledge on the current location, needs and aspirations of IDPs, as well as those who integrated locally, returned or were relocated, presents difficulties in designing an effective response for meeting the needs of those who have not found durable solutions. It is essential to harmonize data on IDPs, returnees and relocated persons in relation to the specific outstanding needs linked to their displacement in order to allow for the best possible allocation of resources. Rather than focusing on the categories of old and new IDPs, based on when people were displaced,[15] assistance should be based on needs. A comprehensive assessment should focus on all areas that have historically hosted IDPs, the Northern, Eastern, North-Western and North-Central Provinces, and also consider the needs of communities hosting IDPs. Comprehensive data is not only essential for humanitarian planning, but also to bolster the engagement of development actors in the support of durable solutions for IDPs in Sri Lanka.

[15] "New IDPs" was the term used to describe those who were displaced after April 2008 and who were then placed in closed camps. "Old IDPs" is a more flexible term used to describe those who were displaced before that date.

35. The data should be disaggregated by age and sex to capture the needs of IDPs, including vulnerable groups such as single women headed households. As of December 2013, the Government was cooperating with the United Nations on a so-called "survey of surveys", mapping out the information on IDPs based on the different assessments available. The exercise is supposed to be followed by the Joint Needs Assessment (JNA), a joint effort of the Government and the Office for the Coordination of Humanitarian Affairs, to address gaps in information on the humanitarian, early recovery and development needs of IDPs, relocated persons and returnees. The Special Rapporteur welcomes the undertaking of the JNA and encourages government officials at the national, provincial and district levels, as well as humanitarian and development partners, in close consultation with IDPs, to undertake that important exercise and to devise an agreed timeline for its roll-out. A survey of intent of IDPs, but also of returned and relocated persons, to find out which durable solutions IDPs would prefer, should be built into the JNA to ensure a sustainable process. The Special Rapporteur encourages all relevant partners in Sri Lanka to work with the Joint IDP Profiling Service to include a profiling exercise in the JNA.[16]

C. Obstacles to durable solutions

36. Several obstacles to durable solutions for IDPs in Sri Lanka, some of which are connected, are important to address at the current time.

1. Security concerns and impediments to freedom of movement

37. There are some general security issues which affect IDPs' freedom of movement and choice of place of residence which need to be addressed. They relate to the continuation of armed conflict measures, including the Prevention of the Terrorism Act (1978), and the continued heavy presence of military forces in the former conflict zone. An estimated 57 per cent of respondents to a recent UNHCR survey on durable solutions for IDPs reported a military presence or a checkpoint less than a mile from their homes, 87 per cent of respondents said they had been registered by the military, and a third said they had been interviewed by the military or the Criminal Investigation Department.[17] Owing to the ethnic dimensions of the history of the conflict, the heavy presence of military personnel in the north does not instil confidence on the part of IDPs, relocated persons and returnees in the aftermath of the conflict. The Special Rapporteur was struck by the expressions of desolation and even despair he came across during his visit. "There is no war, but no peace either, we live under constant threat and tension," and "we are in the jungle and living in darkness," were some of the messages which interlocutors conveyed to the Special Rapporteur. The involvement of the military in civilian issues affects the security climate, in particular for women, whose position is made more vulnerable by the breakdown of social networks and communities. The heavy military presence also impacts on IDPs' prospects to return to their land and rebuild their lives, as explained in section IV C (2) below. The Special Rapporteur received official assurances that a gradual phased withdrawal of the military from certain areas would take place; he calls for transparent information on such plans to be shared with IDPs.

38. The Special Rapporteur also learned from various actors during his visit that military personnel in the north were involved in commercial activities, either in partnership with

[16] The Joint IDP Profiling Service is an inter-agency service based in Geneva providing advice to Governments, humanitarian and development partners on how to conduct profiling of internal displacement situations.

[17] UNHCR, *A Protection Assessment of Sri Lankan Internally Displaced Persons who have Returned, Relocated or are Locally Integrating: Data and Analysis*, June 2013, pp. 13–14.

their relatives or with other people from outside the north. They were reported to be producing and selling vegetables at low prices with which small farmers cannot compete, to be running animal farms, to have taken over fisheries in certain areas, to have built hotels for tourism and to own factories serving no obvious military purpose. Civil society representatives also reported that they were under constant surveillance by the Government and the military and that their freedom of movement was curtailed. They added that the PTF was denying civil society organizations access to IDPs, whether to discuss their situation or offer support, on the ground that those people were no longer IDPs. In accordance with principle 30 of the Guiding Principles on Internal Displacement, international monitoring bodies, national human rights institutions, non-governmental organizations and other independent observers should enjoy unimpeded access to areas of IDP return and relocation and to IDPs themselves. IDPs should feel comfortable meeting with national and international actors and not be concerned that such meetings might leave them open to reprisals.

39. The September 2013 elections to the Northern Provincial Council resulted in a victory for the Tamil National Alliance, which won 78 per cent of the vote. Civil society organizations in Jaffna reported an increase in military presence since the September elections. While the Governor in Jaffna emphasized to the Special Rapporteur the importance of working with the newly elected provincial authorities, the Chief Minister for the north stated that he had little autonomy to carry out his duties, including the promotion of durable solutions for IDPs. That underlines the need for clarity in the roles of the Governor, Government Agents, and the Chief Minister for the north with respect to IDPs in the context of decentralization.

2. Lack of access to land

40. Another obstacle to durable solutions for IDPs is the lack of access to their original land, which prevents their return and sustainable livelihoods. All the IDPs the Special Rapporteur talked to emphasized their strong wish to return home. He met with widows who, upon the release of their original land by the military, preferred to return to their small plot of land rather than stay in relocation villages, even if that meant living in a makeshift shelter instead of a new house.

41. The main reasons preventing IDPs from accessing their land are the presence of landmines, the establishment of special military and economic zones, and the IDPs' lack of documentation concerning their land of origin.

42. The Government indicated to the Special Rapporteur that 62,000 square miles still needed to be cleared of mines, out of more than 1.4 million square miles that had been contaminated at the end of the armed conflict. The local government representative in Mullaitivu informed the Special Rapporteur that those who could not return home owing to landmines would be relocated on another land of comparable size.

43. The second main reason preventing access to return areas is the use of IDPs' land of origin by the military, following the demarcation of large areas in the 1990s as High Security Zones (HSZs). Former HSZs have formally ceased to exist and since the beginning of 2010, areas of the HSZs have been demined and partly opened for return, but significant tracks of land continue to be used by the military for cantonment and other activities, including economic activities. In April 2013, the Government began acquiring over 6,000 acres in Jaffna Peninsula under the Land Acquisition Act (1950). The vast majority of that land belongs to IDPs, but currently hosts 32 military camps and other installations. Civil society actors have pointed out that, according to the law, land should be taken only for a "public purpose," which is far from established. Besides the land in Jaffna, the United Nations High Commissioner for Human Rights learned from the Minister of Economic Development of the compulsory acquisition of private land for the permanent installation of military camps and other installations in Trincomalee, Mullaitivu and Kilinochchi

Districts.[18] In Trincomalee, that concerned an area falling under a Special Economic Zone which had previously been part of an HSZ. The Special Rapporteur was informed of concerns on the part of families in a camp in Jaffna who have been unable to return to their land for 24 years owing to military occupation. They used to make a living from fishing and farming activities and need to access their land in order to have sustainable livelihoods. The Special Rapporteur also learned that over 2,000 people displaced from their land have challenged the compulsory acquisition of land before the Court of Appeal and the Supreme Court. IDPs and civil society organizations that had filed cases reported to the Special Rapporteur that they have been intimidated by military personnel in an apparent attempt to make them withdraw their cases.

44. The third main reason preventing access to return areas is the lack of land ownership. Landless IDPs include families who had rented houses on agricultural land before displacement, or whose parents own land in their place of origin but who themselves did not have the capital necessary to purchase land. Many IDPs the Special Rapporteur met with said they had lost the documentation to their land during the conflict, or that their parents, who were the original owners, had died, but that they had not received assistance to recover documentation to their land. Landless IDPs with whom the Special Rapporteur met seemed open to settling elsewhere in the country if return was not possible. Local government officials indicated during the mission that, as much as possible, people without land were given public land, with titles delivered by the Government.

45. The fact that the Prescription Ordinance gives land ownership to those who have occupied the land for at least 10 years, even for land belonging to those who fled during the conflict, further exacerbates the situation.[19] The LLRC recommended that the law be amended so that it would not apply to land transfers or land occupation which occurred during the conflict. The Special Rapporteur was encouraged to hear from the Ministry of External Affairs that Parliament had decided to set up a group dedicated to resolving land conflicts at the grass-roots level, and looks forward to remaining updated on the progress made in that regard.

46. The Special Rapporteur advises the Government to ensure that IDPs are able to claim their land and are not prevented from returning owing to the acquisition or occupation of private lands by the military or State officials. In exceptional cases, when land cannot be returned to IDPs, the Government should take steps to follow due process, provide compensation and support sustainable relocation in line with international standards. The National Involuntary Resettlement Policy, although it applies to development projects, is a good starting point to guide such relocation.[20]

3. Lack of accountability and impediments to reconciliation

47. Another major obstacle to durable solutions for IDPs, returnees and relocated persons is the lack of effective remedies for the violations of international human rights law and international humanitarian law which caused displacement or which occurred during displacement. The 2011 report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka pointed to the systematic failure of the Government to hold

[18] Human Rights Council, 25 September 2013, Oral update of the United Nations High Commissioner for Human Rights on promoting reconciliation and accountability in Sri Lanka.

[19] Section 03 of Ordinance No. 22 of 1871, as amended by Ordinance No. 2 of 1889.

[20] Sri Lanka, Ministry of Lands, *Guidelines for the Preparation of a Resettlement Action Plan* (Battaramulla, 2003).

perpetrators to account, to the weakness of accountability mechanisms in Sri Lanka and to the lack of independence and impartiality of the country's judicial system.[21]

48. A recent worrying trend, which may lead to new waves of displacement and therefore requires prevention, is the series of attacks by Buddhist extremists, who have targeted Muslim and Christian religious sites in different parts of the country, and the lack of swift action taken against the perpetrators. The Special Rapporteur was informed during his visit that some mosques and churches frequented by IDPs had been destroyed in the north of the country. Some IDPs reported that their land of origin had been defined as a sacred area for a Buddhist temple, preventing them from returning.

49. Under principle 16 of the Guiding Principles on Internal Displacement, all internally displaced persons have the right to know the fate and whereabouts of missing relatives. Principle 16 also requires that the authorities concerned endeavour to establish the fate and whereabouts of internally displaced persons who are reported missing and cooperate with relevant international organizations engaged in that task. In addition, principle 17 (3) stipulates that families that are separated by displacement should be reunited as quickly as possible. All appropriate steps should be taken to expedite the reunion of such families, particularly when children are involved. The responsible authorities should facilitate inquiries made by family members and encourage and cooperate with humanitarian organizations engaged in the task of family reunification. By virtue of those principles, the Special Rapporteur met with internally displaced families who had not heard from their sons and husbands since they had surrendered to the military in May 2009, despite the families' repeated attempts to receive news of their whereabouts from security officials. The Sri Lankan Government appointed a commission to investigate the fate of nearly 18,000 people who disappeared during the armed conflict; it is important that the commission investigate the fate of internally displaced persons who went missing. Civil society organizations in Killinochchi have indicated that in that district alone, 16,000 reports of missing persons have been collected, including in relation to persons arrested during the last phase of the conflict, and children handed over by their parents who were under the impression that they would get amnesty. On the basis of principles 16 and 17 (3) of the Guiding Principles on Internal Displacement, the Special Rapporteur is within the purview of his mandate in calling for the involvement of the Working Group on Enforced or Involuntary Disappearances of the United Nations to assist and complement the work of the commission established by the Government of Sri Lanka to investigate those disappearances. All internally displaced persons have the right to know the fate and whereabouts of missing relatives, and the authorities have a duty to cooperate with relevant international and humanitarian organizations engaged in that task.

50. In the search for durable solutions, it is vital to address issues impacting on access to justice, reconciliation and healing between the country's Sinhalese, Tamil and Muslim communities, including loss and suffering, and initiate an open dialogue with those affected by the conflict. It is important to ensure effective decentralization and to involve local governments in the support of durable solutions for IDPs, including on budgetary decisions, so that conditions return to normal. The recommendations of the LLRC in that regard, as well as on the independence of judiciary, on a transparent legal process and on the strict adherence to the rule of law, are essential elements underpinning any durable solutions for IDPs.

[21] The Government of Sri Lanka rejects the references in the report to a lack of effective remedies for violations of international humanitarian law and international human rights law and the comments of the Panel of Experts.

4. Protection of women and children

51. Displaced and relocated women face particular obstacles in achieving durable solutions. As indicated by the Committee on the Elimination of Discrimination against Women, alleged gross violations of the human rights of internally displaced women, including sexual violence, still need to be fully addressed and an effective accountability system established (CEDAW/C/LKA/CO/7, paras. 40 and 41). Many of the women involved are landless, have few options in terms of housing solutions and livelihoods, and often work as daily labourers. Many used to live on public land before being displaced or have lost proper documentation to their land or have documents in their deceased husband's or father's name and cannot access their land. Land is used as a dowry by women in Sri Lanka, and many internally displaced women have been reported by civil society and local government representatives in the north to have given up hope of getting married owing to their lack of access to their land.

52. Houses built to relocate single women headed households in the north are often isolated and some are incomplete, making women continuously vulnerable to attacks and sexual violence, including reported forced prostitution by elements of the military. The Government has acknowledged that sexual violence has been a concern, particularly in conflict-affected areas, and has established women and children's desks at police stations and women's centres in IDP welfare centres.[22] In response to the Special Rapporteur's questions on sexual violence in the north, government and military officials informed him that such violence was a relic of the conflict. He learnt during his mission that women are usually too afraid to report rape and sexual violence to the police. According to civil society representatives, when women do report rapes, testimonies given by them in their local language are generally recorded by the police in Sinhala, resulting in variation in their content. Very few members of the police speak Tamil, making communication between IDPs and the police difficult and discouraging. Also, female police officers are not available at women and children's desks in some police stations in the north. The Special Rapporteur acknowledges that the State bears the primary responsibility under international human rights law to ensure that all allegations of acts of violence, including acts of sexual violence and forced prostitution, are investigated, prosecuted and punished.

53. While many IDPs the Special Rapporteur met with said that their children went to school, some indicated that their children were prevented from attending school because they did not have a birth certificate or because nearby schools had been destroyed. Those issues need to be addressed in order to promote and ensure the realization of elementary education for internally displaced children.

V. Conclusions and recommendations

54. **The Special Rapporteur's visit to Sri Lanka took place over four and a half years after the end of the armed conflict between the Government and the LTTE. Since the end of the armed conflict, the Government has made significant progress, together with national and international partners, to facilitate the return or relocation of some 760,000 IDPs. It is important to ensure that the tens of thousands for whom durable solutions have not yet been found do not stay in limbo but find solutions to their plight. The Special Rapporteur believes that significant efforts are required by**

[22] As reported on 1 November 2012 by the Special Envoy of the President on Human Rights, Minister Mahinda Samarasinghe, in his opening statement to the Human Rights Council on the occasion of the universal periodic review of Sri Lanka. According to information provided by UNHCR, there are no women's centres in IDP welfare centres in the north.

the Government to find durable solutions, ensuring a voluntary and informed process, and invites both humanitarian and development partners to work together with national and local authorities to ensure that the livelihoods of IDPs, relocated persons and returnees are restored. The Special Rapporteur encourages the Government to invite international partners to assist in promoting the protection of IDPs and others in search of durable solutions. The Special Rapporteur also wishes to emphasize the need for reconciliation, justice, healing and in particular, the need to bring the perpetrators of violations of international human rights law and international humanitarian law to justice in order to ensure accountability for wrongs committed to IDPs during and after displacement.

55. **In the spirit of cooperation extended to him during his visit, the Special Rapporteur looks forward to continuing dialogue with the Government of Sri Lanka and offers the following conclusions and recommendations.**

56. **Concerning an effective national response, the Special Rapporteur recommends that the Government:**

- **Implement the recommendations of the LLRC, particularly chapter 5 on human rights generally and with regard to IDPs, and chapter 6 on land issues, return and resettlement;**
- **Implement the National Action Plan for the Promotion and Protection of Human Rights, particularly the goal of developing a broad-based national policy on internal displacement which takes into account all forms of displacement, conflict, natural disasters and economic development, drawing on the Guiding Principles on Internal Displacement and the IASC Framework on Durable Solutions for Internally Displaced Persons;**
- **In collaboration with international partners, significantly revise the current draft Framework for Resettlement Policy to make it a comprehensive policy on internal displacement, including on durable solutions, in line with the recommendations of the LLRC, the National Action Plan for the Promotion and Protection of Human Rights, the comprehensive 2008 draft IDP bill, the Guiding Principles on Internal Displacement and the IASC Framework on Durable Solutions for Internally Displaced Persons, with clear benchmarks for durable solutions to ensure a transparent process and reinforce credibility;**
- **Undertake a comprehensive needs assessment of all areas that have historically hosted IDPs, that is, the Northern, Eastern, North-Western and North-Central Provinces, and consider the needs of communities hosting IDPs, in partnership with local civil society organizations and international partners;**
- **Given that the conflict has ended, reassess the role of the military in maintaining national security, in compliance with international human rights law, and balance it with the right of IDPs to enjoy freedom of movement and choice of residence, based on necessity, as prescribed by law in the pursuit of national security as a legitimate aim, and proportionality or reasonable measures to ensure freedom of movement and choice of residence by IDPs;**
- **Provide IDPs with transparent information on the plans for the phased withdrawal of the military from certain areas, and provide adequate compensation and resettlement to those who may not return to their original lands;**
- **Resolve issues relating to land property by legislative measures with regard to competing claims over title, ownership, use and occupation;**

- **Protect single women headed households, and protect women in the north against sexual violence and enforced prostitution;**
- **Ensure that IDPs are not subject to attacks, harassment, intimidation, persecution or any other form of punitive action upon return to their home communities or settlement elsewhere in the country, and ensure that they can enjoy their freedom of movement;**
- **Ensure that IDPs, returnees and relocated persons enjoy equal and non-discriminatory access to education, health services, livelihoods, land, property rights and equality before the law;**
- **Establish modalities enabling IDPs, returnees and relocated persons to access their land in the former High Security Zones and to be provided with adequate information on their prospects of regaining access to their land so that they can assess their options and make informed choices;**
- **Ensure that the commission appointed to investigate reports of missing persons complies with recognized international standards, works in consultation with the families of missing persons, extends its coverage to including missing persons/disappearances since May 2009, and makes its finding and recommendations public;**
- **Invite the Working Group on Enforced or Involuntary Disappearances to Sri Lanka pursuant to principles 16 and 17 of the Guiding Principles on Internal Displacement;**
- **Ensure that all human rights violations of a criminal nature committed against IDPs, returnees and relocated persons are subject to criminal investigation and that the alleged perpetrators are brought to justice;**
- **Enable proper working conditions without intimidation for NGOs and civil society organizations working with IDPs and returnees in the north and the east;**
- **Address impunity of security personnel in relation to offences against civilians.**

57. **The Special Rapporteur recommends that, with the support of international donors, international humanitarian and development actors:**

- **Support the Joint Needs Assessment and enable the Government to carry out a comprehensive profiling exercise of the numbers of IDPs, relocated persons and returnees, as well as a survey of intention of IDPs and their needs linked to livelihoods, housing, land and property;**
- **Ensure that development plans include programmes for durable solutions based on the specific needs of IDPs, relocated persons and returnees, using a rights-based approach and ensuring the participation of IDPs in decision-making, and also include IDPs in their general poverty alleviation and other relevant programmes and the monitoring thereof.**